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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,491	05/16/2007	Olexandr Ivanovich Kyrychenko	SWIN 3496	7296
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CHERNOFF, VILHAUER, MCCLUNG & STENZEL, LLP			EXAMINER	
601 SW Second Avenue, Suite 1600			PANDYA, SUNT	
Portland, OR 97204			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/596,491

Applicant(s)KYRYCHENKO, OLEXANDR
IVANOVICH**Examiner**

SUNIT PANDYA

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This action is in response to amendments filed on 11/25/2009, wherein the examiner acknowledges that claims 20 & 21 have been amended, no new claims have been added or canceled; consequently, claims 20-37 are currently pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCrea, in view of Soltys et al. (US Patent Publication 2003/0087696).

Claim 20: McCrea discloses gaming equipment for table game which uses playing cards, wherein each card is encoded with an imprint value, said equipment includes a gaming table with areas for placement of playing cards (figure 1, element 220), a first card recognition unit for sensing the encoded imprint value of each card as it is drawn face down from a deck of playing cards (col. 6: 37-58 & col. 13-14: 58-11, wherein McCrea disclose a camera taking pictures of the cards being dealt), a second card recognition unit, independent of the first card recognition unit, for sensing the encoded imprint values of the cards after the cards have been drawn from the deck of cards (col. 14: 12-43, wherein McCrea discloses a second camera taking pictures of

cards being put back into the shuffler), and a comparison unit for comparing the imprint values sensed by the first and second card recognition units respectively, and providing an indication in the event that the imprint values sensed by the second card recognition unit, after the card has been drawn from the deck, do not match the imprint values sensed by the first card recognition unit, when the card was drawn from the deck (col. 15: 6-30, wherein McCrea compares the image from camera one and camera two to prevent any cards from being added or subtracted).

However, McCrea, fails to disclose the second card recognition unit sensing the value of each card, after the card has been drawn and before further cards are drawn from the deck. In an analogous art, Soltys et al., who teaches a system for monitoring playing and wagering in a casino game, further teaches a second card recognition unit that sense the value of each card after the card has been drawn from the deck and before further cards are drawn (0012, teaches a sensor on the game table when the player places the card). It would have been obvious for one with ordinary skill in the art at the time of the invention to have modified the game monitoring system disclosed by McCrea, with an alternative sensor on the game table, as taught by Soltys et al., thus providing an enchanted automated security to gaming establishments and prevent cheating (0014).

Claim 21: The combination of McCrea and Soltys et al. teaches a card shoe for storage of playing cards and for distribution of playing cards, which are drawn face down from the shoe and placed on the gaming table (McCrea, col. 13: 32-35).

Claims 22 & 23: The combination of McCrea and Soltys et al. teaches that the first card recognition unit is associated with the card shoe, for sensing the encoded imprint value of each playing card as it is drawn from the shoe (McCrea, figure 13 & col. 13-14: 58-11, wherein the sensor senses when a card is being pulled from the shoe and captures an image of the card).

Claim 24: The combination of McCrea and Soltys et al. teaches a second card recognition unit configured to sense the encoded imprint values of cards face up on the gaming table (Soltys et al., figure 13 & 0069-0070).

Claim 25: The combination of McCrea and Soltys et al. teaches a second card recognition unit configured to sense the encoded imprint values of cards face down on the gaming table (McCrea, col. 7: 42-53).

Claim 26: The combination of McCrea and Soltys et al. teaches the gaming table having multiple player sectors for respective players (McCrea, figure 2, elements Pa-Pe), the equipment further comprises a player bet control unit and a player game control unit in each player sector (McCrea, figure 2, element 210 & col. 6: 14-20).

Claim 27: The combination of McCrea and Soltys et al. teaches each player bet control unit comprising a control panel for entering commands pertaining to the player's bets (McCrea, figure 2, element 210, wherein players place the chip they wish to wager).

Claims 28 & 30: The combination of McCrea and Soltys et al. teaches gaming equipment for table game which uses playing cards. The combination of McCrea and Soltys et al. also teaches player bet control unit comprising, a control panel

for entering operating commands pertaining to the player's bets. However, the combination of McCrea and Soltys et al. fails to teach a touch sensitive panel for player input. It would have been obvious to one having ordinary skill in the art at the time of the invention to have implemented a touch screen instead of buttons or other such input devices, since it is well known in the art that touch screen are less prone to mechanical wear and tear that is common to buttons.

Claims 29 & 31: The combination of McCrea and Soltys et al. teaches each player game control unit comprises a control panel for displaying and entering operating commands pertaining to the player's decisions regarding play of the game (McCrea, figure 2, wherein players are dealt cards to play Black Jack and player's decision regarding the play of blackjack is entered).

Claim 32 & 33: The combination of McCrea and Soltys et al. teaches the gaming table having a dealer sector and a credit control unit in the dealer sector, wherein player's bets are displayed for the dealer (McCrea, figure 2 & figure 4).

Claims 34-36: The combination of McCrea and Soltys et al. teaches the gaming table having dealer sector a players' commands visualization unit in the dealer sector (McCrea, figure 2, wherein players are dealt cards to play Black Jack and player's decision regarding the play of Black Jack is entered, i.e. hit or stay or double down etc.).

Claim 37: The combination of McCrea and Soltys et al. teaches that the cards are encoded with imprint values in human readable form, and the first and second card

recognition units sense the human readable encoded imprint values of the cards (McCrea, figures 3 & 13).

Response to Arguments

Applicant's arguments filed on 11/25/2009 have been fully considered but they are not persuasive.

Regarding the applicant's arguments on page 6 that McCrea discloses a second camera in the card shoe, and thus will not be able to detect a mismatch in the game until the end of the game, the examiner agrees with the applicant. However McCrea's deficiencies are corrected by Soltys et al., who teaches a system for monitoring playing and wagering in a casino game, further teaches a second card recognition unit that sense the value of each card after the card has been drawn from the deck and before further cards are drawn (0012). Soltys et al. teaches a sensor under the game table where the player places the card, and the sensor detects the card during the play. Thus the combination of McCrea and Soltys et al., teaches all of the limitations of the claims.

In the rejection above, the examiner has cited particular figures, paragraphs, columns and line numbers from the references, as applied to the claims above, for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as

potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUNIT PANDYA whose telephone number is (571)272-2823. The examiner can normally be reached on M-Th 8 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on 571-272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JAMES S. MCCLELLAN/
Examiner, Art Unit 3714

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